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SHORT TITLE: U.S. ex rel. Peter A. Fuller v. James E. Zoucha	CASE NUMBER: 2:05-CV-00325-DLF-DAD
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ORDER**3. THE COURT ORDERS**

- a. Plaintiff has a right to attach property of defendant (*name*): James E. Zoucha
in the amount of: \$ 400,000.00
- b. ☐ The property described in items 2g(1) and 2h(1) of the findings is exempt and shall not be attached.
- c. The clerk shall issue ☒ a writ of attachment ☐ an additional writ of attachment in the amount stated in item 3a
☒ forthwith ☐ upon the filing of an undertaking in the amount of: \$
(1) ☐ for any property of a defendant who is **not** a natural person for which a method of levy is provided.
(2) ☒ for the property of a defendant who is a natural person that is subject to attachment under Code of Civil Procedure section 487.010, described as follows (*specify*):
- 1) All real property including that real property located at 131 Monroe Street, Oceanside, CA 92057; and 535 So. Highway 101, Solana Beach, California, as more fully described on attachment 2g hereto.
- (3) ☐ for the property covered by a bulk sales notice with respect to a bulk transfer by defendant or the proceeds of sale of such property, described as follows (*specify*):
- (4) ☐ for plaintiff's pro rata share of proceeds from an escrow in which defendant's liquor license is sold. The license number is (*specify*):
- d. ☒ Defendant shall transfer to the levying officer possession of
(1) ☒ any documentary evidence in defendant's possession of title to any property described in item 3c;
(2) ☐ any documentary evidence in defendant's possession of debt owed to defendant described in item 3c;
(3) ☐ the following property in defendant's possession (*specify*):

NOTICE TO DEFENDANT: FAILURE TO COMPLY WITH THIS ORDER MAY SUBJECT YOU TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT.

e. ☐ Other (*specify*):

f. Total number of boxes checked in item 3: 3

David F. Levi
(TYPE OR PRINT NAME)

David F. Levi
(SIGNATURE OF JUDGE OR COMMISSIONER)

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CASE NUMBER:
2:05-CV-00325-DFL-DADATTACHMENT (Number): 2g

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1. All that real property situate in the City of Oceanside, County of San Diego, described as 131 Monroe Street, Oceanside, California 92057, and more particularly described as follows:

Lot 4 of MISSION VALLEY ESTATES UNIT NO. 8, in the City of Oceanside, County of San Diego, State of California, according to the Map thereof No. 7602, filed in the Office of the County Recorder of said San Diego County, April 16, 1973.

2. An Undivided One-Twenty Four Hundred Ninety-Ninth (1/2499) Interest in All that real property situate in the City of Solana Beach, County of San Diego, described as 535 So. Highway 101, Solana Beach, California, and more particularly described as follows:

An undivided one-twenty four hundred ninety-ninth (1/2499) interest in and to the following described real property:

Parcel 1: That certain real property situated in the State of California, County of San Diego, described as follows:

All that portion of SUNSET PLAZA, in the County of San Diego, State of California, according to Map thereof No. 5575, filed in the Office of the County Recorder of said County, together with that portion of the North Half of the Southwest Quarter of Section 2, Township 14 South, Range 4 West, San Bernardino Base and Meridian, In the County of San Diego, State of California, according to official plat thereof, lying North of a line that is parallel with and distant 856.9 feet at right angles Northerly from the South line of said North Half of the Southwest quarter and West of the Westerly line of State of California, recorded in Book 357, Page 499 of Official Records of said County and South of a line that is parallel with and distant 153.33 feet at right angles Southerly from the North line of said North Half of the Southwest Quarter and lying Easterly of the center line of that certain 60.00 foot strip described in Easement Deed to the County of San Diego, recorded April 11, 1963 as Document No. 62239 of Official Records and known as Sierra Avenue.

Excepting therefrom the West 100 feet of the North 181 feet of said property.

EXCEPTING FROM SAID PARCEL 1 the exclusive right to use and occupy all of the units within the "unit Types" as defined in the "Declaration of Beach Plan Solana Beach" hereinafter referred to.

PARCEL 2: THE EXCLUSIVE RIGHT TO USE AND OCCUPY A "Seabreeze [2bd-Twnhsc] Unit Type", together with a right to use said unit for a period of seven days during the season in which this interest was purchased, as defined in the Declaration of Beach Plan Solana Beach recorded on November 24, 1982 as Instrument No. 82-364199 of Official Records of the County of San Diego during a "Use Period" within a "Use Year" (as the quoted terms are defined in the Declaration) together with a non-exclusive right to use the "Common Arcas" as defined in the Declaration.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)